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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,840	09/08/2000	Loren G. Knutson	068520.0104	3094
7590	08/20/2004		EXAMINER SCHLAIFER, JONATHAN D	
Baker Botts LLP 2001 Ross Avenue Dallas, TX 75201-2980			ART UNIT 2178	PAPER NUMBER

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/658,840	Applicant(s) KNUTSON ET AL.	
	Examiner Jonathan D. Schlaifer	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/10/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to an Amendment to application 09/658,840, filed on 5/10/2004, with additional prior art filed on 2/11/2004 and 5/10/2004.
2. Claims 1-24 are pending in the case. Claims 1, 4, 7, and 14 are independent claims.
3. Claims 1, 4, 7, and 14 have been amended. Claims 21-24 are new claims.
4. The rejections of claims 1-3 and 7-13 under 35 U.S.C. 101 as being non-statutory are withdrawn as necessitated by amendment.
5. The rejections of claims 1-2, 4-5, 7, and 14 under 35 U.S.C. 102(b) as being anticipated by Kelly are withdrawn as necessitated by amendment.
6. The rejections of claims 3, 6, 10-13, and 17-20 under 35 U.S.C. 103(a) as being unpatentable over Kelly, further in view of Microsoft Corporation are withdrawn as necessitated by amendment.
7. The rejections of claims 8-9 and 15-16 under 35 U.S.C. 103(a) as being unpatentable over Kelly are withdrawn as necessitated by amendment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1-2, 4-5, 7-9, 14-16, and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Kelly et al. (USPN 5,173,853—filing date 3/14/1991), hereinafter Kelly, further in view of O'Rourke et al. (USPN 5,731,813—filing date 6/6/1994), hereinafter O'Rourke.**
9. **Regarding independent claim 1,** Kelly discloses a method, comprising the steps of: providing a set of predetermined function definitions which are different (in the Abstract, there are a plurality of Document Application Profiles which serve as functions for document conversions); and preparing a project definition (the project is a structure converter between ODA and CDA, as revealed in the Abstract), said project definition including: a plurality of function portions which each correspond to one of said function definitions in said set (the Document Application Profiles are the function portions, and are defined with definitions), and which each define at least one input port of said function portion and at least one output port of said function portion (the Document Application Profiles are connected to input/output functionality) that are functionally related according to the corresponding function definition (the conversion pairs an input with an output); a further portion which includes a source portion identifying a data source and defining an output port of said source portion (the source portion must output to effect a transfer) through which data from the data source can be produced (since it is a file conversion, it inherently involves a data source), and which includes a destination portion identifying a data destination and defining an input port of said destination portion (the destination portion must input to effect a

transfer) through which data can be supplied to the data destination, and binding information which includes binding portions that each associate a respective one of said input ports with one of said output ports (the file conversion inherently binds the source file with the appropriately linked element), at least one of said binding portions being a conditional binding which is responsive to a specified condition for associating a respective one of said input ports with one of a plurality of different said output ports that form a set; (in the Abstract, different types of data are handled by appropriate content handlers; this constitutes conditional association in that the association is conditioned on the type of data that is being handled). However, Kelly fails to disclose that preparing said project definition comprises: displaying a project window that includes a graphical representation of said project definition and allowing a user to modify said project definition by interacting with said graphical representation using pointing tool. However, in Fig. 5 of O'Rourke, O'Rourke discloses a graphical project window and in col. 1, lines 30-40, O'Rourke discloses interacting with the window by using a mouse as pointing device. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a graphical user interface to manage the project and a pointing device as in O'Rourke because this would have represented a user-friendly solution to manipulating project information.

10. **Regarding dependent claim 2**, data which is inherently available to the output ports in said set is the type of information which is being processed, so binding

based on content type as in Kelly would necessarily constitute formulating said condition to be a function of data which is available to said conditional binding.

11. **Regarding independent claim 4**, it is a computer-readable medium with a program that performs the functions of claim 1 and is rejected under similar rationale.
12. **Regarding dependent claim 5**, it is a computer-readable medium with a program that performs the functions of claim 2 and is rejected under similar rationale.
13. **Regarding independent claim 7**, Kelly discloses a method, comprising the steps of: providing a set of predetermined function definitions which are different (in the Abstract, there are a plurality of document Document Application Profiles which serve as functions for document conversions); and preparing a project definition (the project is a structure converter between ODA and CDA, as revealed in the Abstract), said project definition including: a plurality of function portions which each correspond to one of said function definitions in said set (the Document Application Profiles are the function portions, and are defined with definitions), and which each define at least one input port of said function portion and at least one output port of said function portion that are functionally related according to the corresponding function definition (the conversion pairs an input with an output), at least one of said function definitions being operative to automatically convert to a predetermined data type any data which is received at the input port thereof as a data type other than said predetermined data type; (according to the Abstract, all files entering the converter emerge as ODA

documents and all subparts of the document are handled by document handlers), a further portion which includes a source portion identifying a data source and defining an output port of said source portion through which data from the data source can be produced (since it is a file conversion, it inherently involves a data source), and which includes a destination portion identifying a data destination and defining an input port of said destination portion through which data can be supplied to the data destination, and binding information which includes binding portions that each associate a respective one of said input ports with one of said output ports (the file conversion inherently binds the source file with the appropriately linked element). However, Kelly fails to disclose that preparing said project definition comprises: displaying a project window that includes a graphical representation of said project definition and allowing a user to modify said project definition by interacting with said graphical representation using pointing tool. However, in Fig. 5 of O'Rourke, O'Rourke discloses a graphical project window and in col. 1, lines 30-40, O'Rourke discloses interacting with the window by using a mouse as pointing device. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a graphical user interface to manage the project and a pointing device as in O'Rourke because this would have represented a user-friendly solution to manipulating project information.

14. **Regarding depending claim 8**, Kelly and O'Rourke fail to disclose a method including the step of selecting a numeric data type to be said predetermined data

type. However, it was notoriously well known in the art at the time of the invention that a hexadecimal representation (which is a numeric data type) is a typical representation for files because it is convenient and related to binary. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used a hexadecimal representation in Kelly because it was known to be convenient and related to binary.

15. **Regarding dependent claim 9**, Kelly states in the Abstract that content handlers accept text and graphics.
16. **Regarding independent claim 14**, it is a computer-readable medium with a program that performs the functions of claim 7 and is rejected under similar rationale.
17. **Regarding dependent claim 15**, it is a computer-readable medium with a program that performs the functions of claim 8 and is rejected under similar rationale.
18. **Regarding dependent claim 16**, it is a computer-readable medium with a program that performs the functions of claim 9 and is rejected under similar rationale.
19. **Regarding dependent claim 21**, Kelly fails to disclose that said project window further includes a list of functions, sources, and destinations; and allowing said user to modify said project definition by interacting with said graphical representation using said pointing tool includes allowing said user to: select at least one function, source, and destination from said list; indicate where to insert

icons representing selected functions, sources, and destinations in said graphical representation; and bind said icons inserted into said graphical representation together. However, such limitations are present in O'Rourke, as may be observed in Fig. 4, Fig. 6, Fig. 9, and col. 4, lines 1-60, which describes how a project is managed graphically and how icons are used to direct elements of a project from source to destination. Specifically, O'Rourke describes select at least one function, source, and destination from said list(col. 4, lines 15-20); indicate where to insert icons representing selected functions, sources, and destinations in said graphical representation (col. 4, lines 25-35); and bind said icons inserted into said graphical representation together (col. 4, lines 20-35). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the graphical project management features of O'Rourke with Kelly to offer a user-friendly means of directing project structure in Kelly.

20. **Regarding dependent claim 22**, it is a computer-readable medium with a program that performs the functions of claim 21 and is rejected under similar rationale.

21. **Regarding dependent claim 23**, Kelly and O'Rourke fail to disclose that automatically converting data to said predetermined data type includes converting a floating point value that represents a number to a text string which represents said number. However, it was notoriously well known in the art at the time of the invention that floating point numbers may be converted to text to allow them to be processed as the corresponding string in the context of related text that surrounds

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them. It would have been obvious to one of ordinary skill in the art at the time of the invention to convert a floating point number to text in order to allow it to have been processed as the corresponding string in the context of related text that surrounds it.

22. **Regarding dependent claim 24**, it is a computer-readable medium with a program that performs the functions of claim 23 and is rejected under similar rationale.
23. **Claims 3, 6, 10-13, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly, further in view of O'Rourke, further in view of Microsoft Corporation ("Microsoft Word: User's Guide", 1993-1994, Version 6.0, p. 590-591).**
24. **Regarding dependent claim 3**, Kelly and O'Rourke fail to disclose a method wherein said step of preparing said project definition includes the step of having a user identify, for each said conditional binding, said input port therefor, said set of output ports, therefor, said specified condition therefor, and a relationship between said specified condition and each said output port in said said. However, Microsoft Word, as portrayed by Microsoft Corporation on page 590, involved these steps when opening a document created in another application, because performing such a translation required identifying a source, a destination location, and a desired format change to perform, in order to make foreign documents accessible in a word processor. It would have been obvious to one of ordinary skill in the art at the time of the invention to have performed a translation in

Microsoft Word in order to make foreign documents accessible in a word processor.

25. **Regarding dependent claim 6**, it is a computer-readable medium with a program that performs the functions of claim 3 and is rejected under similar rationale.
26. **Regarding dependent claim 10**, Kelly and O'Rourke fail to disclose the step of selecting a text data type to be said predetermined data type. However, Microsoft Corporation, on page 591, shows translation into text in order to facilitate producing a text version of a complex file. It would have been obvious to one of ordinary skill in the art at the time of the invention to have translated a document into text format in order to facilitate producing a text version of a complex file.
27. **Regarding dependent claim 11**, Kelly states in the Abstract that content handlers accept graphics.
28. **Regarding dependent claim 12**, Kelly and O'Rourke fail to disclose the step of selecting a text data type to be said predetermined data type. However, Microsoft Corporation, on page 591, shows importing and exporting graphics in order to facilitate managing graphics for a complex file. It would have been obvious to one of ordinary skill in the art at the time of the invention to have imported and exported graphics in order to facilitate managing graphics for a complex file.
29. **Regarding dependent claim 13**, Kelly states in the Abstract that content handlers accept text.

30. **Regarding dependent claim 17**, it is a computer-readable medium with a program that performs the functions of claim 10 and is rejected under similar rationale.
31. **Regarding dependent claim 18**, it is a computer-readable medium with a program that performs the functions of claim 11 and is rejected under similar rationale.
32. **Regarding dependent claim 19**, it is a computer-readable medium with a program that performs the functions of claim 12 and is rejected under similar rationale.
33. **Regarding dependent claim 20**, it is a computer-readable medium with a program that performs the functions of claim 13 and is rejected under similar rationale.

Response to Amendment

34. Applicant's arguments filed 5/10/2004 have been fully considered but they are not persuasive.
35. Applicant argues that *Kelly* fails to disclose conditional binding. As noted in the clarified rejection provided in this Office Action, the binding is conditional on the format being converted.
36. Applicant further argues that *Kelly* fails to disclose "displaying a project window that includes a graphical representation of said project definition", etc. These arguments are moot in the face of the new rejections employing O'Rourke necessitated by amendment.

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37. Applicant alleges that *Kelly* does not structurally match Claim 1. The Examiner maintains that *Kelly* does at least as currently claimed.

38. With respect to Claims 7 and 14, Applicant objects that *any* data would be converted. However, invalid data would presumably be registered as corrupt data. Similarly, *Kelly* would attempt to convert any data and register as corrupt data any data in an inappropriate source format.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 5,625,833 (filing date 3/20/1995)—Levine et al.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

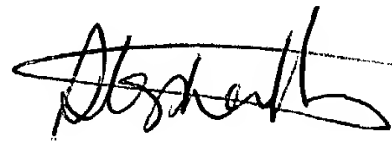
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan D. Schlaifer whose telephone number is 703-305-9777. The examiner can normally be reached on 8:30-5:00, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 703-308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS

A handwritten signature in black ink, appearing to read 'Stephen S. Hong', with a stylized flourish at the end.

**STEPHEN S. HONG
PRIMARY EXAMINER**